

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

OMAR ROBLES,

Case No.: 2:18-cv-02071-APG-CWH

Plaintiff

## **Order Granting Motion for Appointment of Counsel**

V.

[ECF No. 3]

BRIAN WILLIAMS, et al.,

## Defendants

Plaintiff Omar Robles moves for appointment of counsel. Civil litigants do not have a  
Amendment right to appointed counsel. *Storseth v. Spellman*, 654 F.2d 1349, 1353 (9th  
81). However, a district court “may request an attorney to represent any person unable to  
counsel.” 28 U.S.C. § 1915(e)(1). Whether to appoint counsel lies within the court’s  
ion. *Agyeman v. Corr. Corp. of Am.*, 390 F.3d 1101, 1103 (9th Cir. 2004). To determine  
er exceptional circumstances exist to support appointing counsel, I evaluate “the likelihood  
plaintiff’s success on the merits” and “the plaintiff’s ability to articulate his claims ‘in light  
complexity of the legal issues involved.’” *Id.* (quoting *Wilborn v. Escalderon*, 789 F.2d  
1331 (9th Cir. 1986)). Neither of these factors is dispositive and both must be viewed  
er. *Wilborn*, 789 F.2d at 1331. Appointment of counsel may be justified when proceedings  
o forward “more efficiently and effectively.” *Johnson v. California*, 207 F.3d 650, 656 (9th  
000) (per curiam).

21 I have not yet screened Robles's complaint, so I make no determination on the likelihood  
22 of his success on the merits. However, given the serious nature of the allegations contained in  
23 his complaint regarding alleged deliberate indifference to his medical needs, as well as

1 representations in his motion that he suffers from a brain injury and cannot read, write, or  
2 articulate his claims or legal argument, it would be extremely difficult, if not impossible, for  
3 Robles to represent himself in this matter. Additionally, he cannot be represented by another  
4 inmate who is not a lawyer. *See C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th  
5 Cir. 1987). I therefore grant the motion.

6 IT IS THEREFORE ORDERED that plaintiff Omar Robles's motion for appointment of  
7 counsel (**ECF No. 3**) is **GRANTED**.

8 IT IS FURTHER ORDERED that this case is referred to the Pilot Pro Bono Program  
9 adopted in General Order 2017-07 for the purpose of identifying an attorney willing to be  
10 appointed as a pro bono attorney for plaintiff Omar Robles. The scope of appointment will be  
11 for all purposes through the conclusion of trial. By referring this case to the Program, I am not  
12 expressing an opinion as to the merits of the case.

13 IT IS FURTHER ORDERED that the clerk of court is instructed to forward this order to  
14 the Pro Bono Liaison.

15 DATED this 3rd day of December, 2018.



16  
17 ANDREW P. GORDON  
18 UNITED STATES DISTRICT JUDGE  
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